

PUBLIC HEALTH DEPARTMENT[641]

Adopted and Filed

Pursuant to the authority of Iowa Code section 135.11, the Department of Public Health hereby rescinds Chapter 1, “Notification and Surveillance of Reportable Communicable and Infectious Diseases,” and adopts new Chapter 1, “Reportable Diseases, Poisonings and Conditions, and Quarantine and Isolation,” Iowa Administrative Code.

These rules identify diseases, poisonings and conditions, and incidents that are to be reported to the Department in accordance with Iowa Code chapters 135, 136A, 139A, 141A, and 144. These rules clarify what information to report, how and when to report, and who is to report. This chapter also provides for disease control through quarantine and isolation.

The new chapter groups information about similar topics such as reportable communicable and infectious diseases, reportable poisonings and conditions that are noncommunicable, investigation, isolation and quarantine, specific noncommunicable conditions, and confidentiality to make the content easier to access; whereas, the existing rules scatter information about each topic throughout the chapter. The changes also reduce the number of reportable poisonings and conditions by six and clarify the reporting process to make compliance easier for the end user.

Notice of Intended Action was published in the July 15, 2009, Iowa Administrative Bulletin as **ARC 7966B**. No comments were received on these rules.

The following technical and corrective changes have been made for clarity and consistency:

1. In rule 641—1.8(139A), the Web page link has been corrected.
2. In subrule 1.12(2), “novel influenza” has been added to the definition of “Quarantinable disease” to conform with the same definition in rule 641—1.1(139A).
3. In numbered paragraph 1.12(6)“d”(1)“7,” the word “requested” has been changed to “imposed” to conform with the same language in numbered paragraph 1.13(4)“c”(1)“5.” The text reads “The legal authority under which the order is imposed.”
4. In paragraph 1.13(5)“a,” third sentence, the phrase “the Local Board of Health or” has been added so that the sentence reads “The appeal shall be addressed to the Local Board of Health or to the Department of Public Health, Division of Acute Disease Prevention and Emergency Response, Lucas State Office Building, Des Moines, Iowa 50319-0075.”
5. In paragraph 1.13(5)“e,” first sentence, the phrase “or local board” has been added so that the sentence reads “The department or local board acknowledges that in certain circumstances the subject or subjects of a department order may desire immediate judicial review of a department order in lieu of proceeding with the contested case process.”
6. In paragraph 1.13(6)“e,” the phrase “the owner or” has been added so that the text reads “The right to cross-examine witnesses who testify against the owner or individual.”

These rules were adopted by the State Board of Health on September 9, 2009.

These rules will become effective on November 11, 2009.

These rules are intended to implement Iowa Code chapters 135, 136A, 139A, 141A, and 144.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these rules [Ch 1] is being omitted. With the exception of the changes noted above, these rules are identical to those published under Notice as **ARC 7966B**, IAB 7/15/09.

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[For replacement pages for IAC, see IAC Supplement 10/7/09.]